

AMENDED IN ASSEMBLY JANUARY 23, 2014

AMENDED IN ASSEMBLY JANUARY 15, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1271

Introduced by Assembly Members Bonta and Jones-Sawyer
(~~Coauthor: Coauthors: Assembly Member Wilk~~ Members Chávez
***and Wilk*)**

February 22, 2013

An act to amend Section 84810.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1271, as amended, Bonta. Community colleges: inmate education programs: computation of apportionments.

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as a segment of public postsecondary education in the state.

Existing law, notwithstanding open course provisions in statute or regulations of the board of governors, authorizes the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for a governing board of a community college district that provides those classes for inmates, including inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

(2) Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionments, a class for which a district receives full compensation for its direct education costs for the conduct of the class from a public or private agency, individual, or group of individuals, and a class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84810.5 of the Education Code is
2 amended to read:
3 84810.5. (a) (1) Open course provisions in statute or
4 regulations of the board of governors shall be waived for a
5 governing board of a community college district that provides
6 classes for inmates of a city, county, or city and county jail, road
7 camp, farm for adults, or state or federal correctional facility. This
8 section shall not be construed to authorize the waiver of open
9 course provisions in any context or situation other than those that
10 are specifically authorized ~~by~~ *under* this section. Subject to
11 limitations set forth in subdivision (b), the board of governors may
12 include the units of full-time equivalent students (FTES) generated
13 in those classes for purposes of state apportionments.
14 (2) The attendance hours generated by credit courses shall be
15 funded at the marginal credit rate determined pursuant to paragraph
16 (2) of subdivision (d) of Section 84750.5. The attendance hours

1 generated by noncredit courses shall be funded at the noncredit
2 rate pursuant to paragraph (3) of subdivision (d) of Section
3 84750.5. The attendance hours generated by instruction in career
4 development and college preparation shall be funded at the rate
5 determined pursuant to paragraph (4) of subdivision (d) of Section
6 84750.5.

7 (b) (1) A community college district shall not claim, for
8 purposes of state apportionments pursuant to this section, a class
9 for which either of the following applies:

10 (A) The district receives full compensation for its direct
11 education costs for the conduct of the class from a public or private
12 agency, individual, or group of individuals.

13 (B) The district has a contract or instructional agreement, or
14 both, for the conduct of the class with a public or private agency,
15 individual, or group of individuals that has received from another
16 source full compensation for the costs the district incurs under that
17 contract or instructional agreement.

18 (2) In reporting a claim for apportionment to the Chancellor of
19 the California Community Colleges under this section, the district
20 shall report any partial compensation it receives from the sources
21 described in subparagraphs (A) and (B) of paragraph (1) during
22 the period for which the claim is made. The chancellor shall
23 subtract the amount of any partial compensation received from the
24 total apportionment to be paid.

25 (c) This section shall not be construed as providing a source of
26 funds to shift, supplant, or reduce the costs incurred by the
27 Department of Corrections and Rehabilitation in providing inmate
28 education programs.